

KSK:cfr 10/22/03 2747-67101 229403

Express Mail No.EV339206321US

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PLANT PATENT APPLICATION (Sole Inventor)**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor of a new and distinct variety of a PLANT NAMED 'JACarque' which is claimed and for which a plant patent is sought, the specification of which is attached hereto, and that I have reviewed and understand the contents of the above-identified specification, including the claim.

I hereby state that I did asexually reproduce the new and distinct variety.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, plant breeders rights certificate, or inventor's certificate listed below and have also identified below any foreign application for patent, plant breeders rights certificate, or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
(Number)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Country)	
(Day/Month/Year Filed)	

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application; to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number 24197

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Name	Reg. No.	Name	Reg. No.
ANDON, Christopher L.	51,406	MC LEOD, Richard D.	46,921
BAKER, Theodore W.	53,961	MAURER, Gregory L.	43,781
BIBLE, Patrick M.	44,423	NOONAN, William D.	30,878
BUNKER, Gillian	47,461	PETERSEN, David P.	28,166
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,167
CARLSON, Anne	47,472	RINEHART, Kyle B.	47,027
CASH, David	52,706	RUPERT, Wayne W.	34,420
GIRARD, Michael P.	38,467	RYBAK, Sheree L.	47,916
GOFF, Jared S.	44,716	SIEGEL, Susan Alpert	43,121
GORDON, Debra A.	54,128	SLATER, Stacey C.	36,031
HAENDLER, Jeffrey B.	43,652	STEPHENS Jr., Donald L.	34,021
HARDING, Tanya M.	42,630	STUART, John W.	24,540
HAYES, Kevin M.	54,158	VANDENBERG, John D.	31,311
JAKUBEK, Joseph T.	34,190	WAGNER, Justin D.	54,519
JONCUS, Stephen J.	44,809	WHINSTON, Arthur L.	19,150
JONES, Michael D.	41,879	WIGHT, Stephen A.	37,759
KLARQUIST, Kenneth S.	16,445	WINN, Garth A.	33,220
KLITZKE II, Ramon A.	30,188	YOUNG, Travis	53,819
LEIGH, James S.	20,434	ZASTROW, Devon J.	50,266

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Address all telephone calls to «Professional Full Name: Type Responsible» at telephone number (503) 226-7391.

Address all correspondence to:

KLARQUIST SPARKMAN, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor: Keith W. Zary

Inventor's Signature

May 18, 2004

Date

Residence: Somis, California

Citizenship: Canada

Post Office Address: P. O. Box 1329, Somis, California 93066

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